



EXPLANATORY NOTES

Product Regulation and Metrology Act 2025

Chapter 20

£8.14

PRODUCT REGULATION AND METROLOGY ACT 2025

EXPLANATORY NOTES

What these notes do

These Explanatory Notes relate to the Product Regulation and Metrology Act 2025 which received Royal Assent on 21 July 2025 (c. 20).

- These Explanatory Notes have been prepared by the Department for Business and Trade in order to assist the reader in understanding the Act. They do not form part of the Act and have not been endorsed by Parliament.
- These Explanatory Notes explain what each part of the Act will mean in practice; provide background information on the development of policy; and provide additional information on how the Act will affect existing legislation in this area.
- These Explanatory Notes might best be read alongside the Act. They are not, and are not intended to be, a comprehensive description of the Act.

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These Explanatory Notes relate to the Product Regulation and Metrology Act 2025 which received Royal Assent on 21 July 2025 (c. 20)

Overview of the Act

- 1 The Product Regulation and Metrology Act 2025 contains measures that relate to the United Kingdom's (UK's) product safety, regulation and metrology framework.

Policy background

- 2 Much of the UK product safety and metrology framework is derived from European Union (EU) law and has developed over the past four decades, whilst the UK was a member. On leaving the EU, the UK set up an independent UK regulatory regime. However, this body of law remains broadly as it was when we left and the Government considers updates are required to be able to adapt to new technologies and changes in the way consumers buy products.
- 3 The Act provides the necessary powers to update the legislative framework, supporting economic growth, providing regulatory stability and delivering more protection for consumers by:
 - responding to new product risks and opportunities to enable the UK to keep pace with technological advances, such as AI, and address issues such as incidents from ingesting button batteries and fire risks associated with e-bikes.
 - identifying new and emerging business models in the supply chain, ensuring the responsibilities of those involved in the supply of products, such as online marketplaces (which are online platforms that connect third-party sellers to consumers for distance sale and purchasing of products), are clear and modernised for increasingly complex supply chains, to support consumers' confidence in the products they buy and from whom they buy them.
 - ensuring that the law can be updated to allow a means of recognising new or updated EU product requirements, with the intention of preventing additional costs for businesses and providing regulatory stability; or to end such recognition if this is the right decision for the UK.
 - enabling improvements to compliance and enforcement, reflecting the challenges of modern, digital borders. This Act seeks to enable the Government and its regulators to tackle non-compliance and target interventions by allowing greater sharing of data between regulators and market surveillance authorities.
 - updating the legal metrology framework, which governs the accuracy of weights and measures for purchased goods. This seeks to give consumers and business confidence in what they are buying and to allow for technological progress, including in support of net zero aims and infrastructure, for example enabling innovation whilst ensuring energy smart meters are accurate in their readings.

Legal background

- 4 The product regulatory framework in the UK covers most consumer products, for example toys and cosmetics, and a significant number of industrial products too, such as lifts and pressure equipment. The overwhelming majority of this legislation is assimilated law, transposed into UK law while the UK was part of the EU and then assimilated following EU exit. Much of the legislation is secondary legislation, made, at least in part, using powers in the European Communities Act 1972, powers which were also used to regularly update that secondary legislation.
- 5 Whilst the UK was a member of the EU, the legislation also provided for various systems of mutual recognition and mandated conformity markings that are used across the EU. On EU exit, powers under the European Union (Withdrawal) Act 2018 were used to create a UK regulatory regime, using the UK Conformity Assessed (UKCA) marking. However, to ensure a continued flow of goods, provision was also made to allow certain goods that meet current EU requirements on the market across the UK. The Act will provide the Secretary of State with the ability to update relevant legislation to allow the UK to maintain high product standards.
- 6 Domestic legislation originally enacted to deal with product safety and metrology – the Consumer Protection Act 1987 and the Weights and Measures Act 1985 – was drafted before the shift in consumer buying behaviour and did not contemplate the technological advances that have taken place since then, for example the widespread use of new actors in the supply chain, such as online marketplaces.
- 7 Finally, the enforcement of product and metrology regulation is contained in a number of pieces of legislation, including the Consumer Protection Act 1987 and the Weights and Measures Act 1985, as well as some secondary legislation. The provisions of these pieces of legislation are not always consistent. Furthermore, they allow for limited civil enforcement measures. This Act will provide the ability to rationalise enforcement provisions so that they are consistent across the product safety and metrology landscape and provide for more civil sanctions, as well as criminal penalties where appropriate.
- 8 A summary of the legal changes in each area of the Act can be found in the commentary section.

Territorial extent and application

- 9 Section 14 sets the territorial extent of the Act. The Act will extend and apply to England, Wales, Scotland and Northern Ireland. The Secretary of State is required to seek the consent of the Scottish and Welsh Devolved Governments to make regulations under section 1, and the Northern Ireland department to make regulations under section 1 or 5(2), where the regulations contain provision within devolved competence, unless the provision is merely incidental to, or consequential on, provision outside devolved competence.

Commentary on provisions of Act

Product regulations

Section 1: Product regulations

- 11 Section 1(1) gives the Secretary of State the authority to enact regulations with the intention of guaranteeing that products marketed or used in the UK reduce or mitigate any risk presented by those products, give accurate readings and operate efficiently and effectively.
- 12 Section 1(2) provides that in addition to the matters listed in Section 1(1), the Secretary of State may make provision for the purpose of reducing or mitigating the environmental impact of products where the EU makes provision in that area.
- 13 Section 1(3) excludes products listed in the Schedule from the scope of product regulations.
- 14 Section 1(4) sets out what is meant by a product presenting a “risk” (that is, where used as intended or under typical or reasonably foreseeable conditions, a product endangers the health or safety of persons, domestic animals, endangers property or causes or is susceptible to electromagnetic disturbance).
- 15 Section 1(5) and 1(6) requires the Secretary of State to publish a statement setting out how the Secretary of State expects to identify and assess product risks, and provides that this statement may be amended or replaced from time to time.
- 16 Section 1(7) sets out the meanings of key terms including what constitutes “marketing” in the UK and that, for the purposes of the Act, products are tangible items that are manufactured or result from another method of production.
- 17 Section 1(8) makes clear that further provisions of the Act give more detail on what is included in the Section 1 power. Section 1(9) sets out that regulations made under Section 1 are “product regulations”.

Section 2: Product requirements

- 18 Section 2(1) provides that product regulations (under Section 1) may set out requirements that relate to the conditions to be met in relation to products which are marketed or used in the UK.
- 19 Section 2(2) provides that the regulations may cover requirements relating to the characteristics of a product such as how it is manufactured, produced or installed, its components (which may be intangible, such as software) or composition or other characteristics; requirements for marketing or use (which includes packaging, storage or transportation), and provision when products are marketed on an online marketplace. Provisions concerning statements about products, monitoring, assessments, certification and verification of products, recording or investigating complaints, production or retention of samples or documents, and cooperation with relevant authorities are other examples of provisions that can be made. Product regulations may also include provision about information about products, including information about risk that must be provided to consumers, other people who engage in activities in relation to the product, and relevant authorities.
- 20 Section 2(3) gives examples of the persons on whom product regulations may impose requirements. This includes manufacturers, those who market a product (such as distributors and retailers) in, or import a product to, the UK, or installers of a product and a person who controls access to, or contents of, an online marketplace or an intermediary. It also allows

requirements to be placed on the authorised representatives of persons conducting product-related activities. It extends to enabling requirements to be placed on a person carrying out monitoring, assessment or verification of a product, or a person carrying out certification or accreditation activities on such a person. Section 2(3)(i) makes clear that this is not an exhaustive list and requirements may be placed on any other person carrying out activities in relation to a product.

- 21 Section 2(4) states that product regulations may make provision for and in relation to technical standards relating to product requirements and Section 2(5) provides that product regulations may set out what is to be covered by a technical standard and who may prepare them, as well as the procedure by which technical standards may be prepared. Section 2(6) explains that product requirements may include provision about published standards and that meeting a particular standard creates a presumption of compliance with a particular product requirement.
- 22 Section 2(7) allows product regulations to provide that a product requirement may be treated as being met by meeting specified provision in relevant EU law (and may attach conditions to this) and Section 2(8) states that before making provision described in subsection (7) the Secretary of State must have regard to the social, environmental and economic impact of the proposed measure.
- 23 Section 2(9) states that intangible components of products includes software.

Section 3: Enforcement of product regulations

- 24 Section 3(1) and (2) provide that product regulations may designate one or more persons as a relevant authority, responsible for monitoring compliance and enforcement of product regulations, but only where such persons exercise functions of a public nature. This can include the Secretary of State, as well as other bodies exercising public functions, for example, local authorities¹, the Health and Safety Executive (HSE), HSE Northern Ireland (HSENI), the Office for Nuclear Regulation (ONR), the Medicines and Healthcare Regulatory products Agency (MHRA), the Office of Communications (Ofcom), the Office of Rail and Road (ORR), and the Driver and Vehicle Standards Agency (DVSA).
- 25 Section 3(3) enables product regulations to be made in relation to the monitoring of compliance, investigating suspected non-compliance, securing compliance and mitigating the effect of non-compliance with product regulations.
- 26 Section 3(4) states that product regulations can confer powers on relevant authorities to appoint inspectors to carry out functions under the regulations. Regulations may include conferring on relevant authorities or inspectors powers of entry, search, inspection, as well as the ability to seize and retain products or other evidence of non-compliance. Product regulations can also confer a power on a relevant authority or an inspector to require a person to retain or provide a document or information, as well as a power to dispose of a product (either by requiring a person to do so or for the relevant authority or inspector to do so themselves). Powers under Section 3(4) apply to premises including vehicles (see Section 12).

¹ In GB, local weights and measures authorities, known as 'Trading Standards' and in NI, the Department for the Economy.

- 27 Section 3(5) makes clear that product regulations may not authorise entry into premises used wholly or mainly as a dwelling without a warrant issued by a justice of the peace (in England and Wales), a sheriff, summary sheriff or justice of the peace (in Scotland), or a lay magistrate (in Northern Ireland).
- 28 Section 3(6) states that any provisions in product regulations that confers power on a relevant authority to secure compliance or mitigate the effect of non-compliance with product regulations under Section 3(3)(c) or Section 3(3)(d) may also allow the relevant authority to give notice to require a person to do something or to stop doing something, such as requiring a person to warn others of the risks relating to a product, requiring a product to display markings relating to such risks, prohibiting the marketing or use of a product, or requiring the withdrawal or recall of the product from the market.
- 29 Section 3(7) states that product regulations may make provision for, or in connection with, sanctions for non-compliance with product regulations; non-compliance with a notice; the obstruction of, or failure to assist or cooperate with, a relevant authority or an inspector; or for providing false or misleading information to a relevant authority or an inspector.
- 30 Section 3(8) makes clear that product regulations can allow a relevant authority to accept an undertaking to secure compliance with product regulations instead of taking other action; and put sanctions in place for a failure to comply with such undertakings. Provisions under this Section may also cover forfeiting of products by court order or order of the sheriff.
- 31 Sections 3(9), (10) and (11) provide that any provisions in product regulations may create or widen the scope of criminal offences, provide for prosecution by relevant authorities of such offences, and confer powers on relevant authorities to impose civil sanctions including monetary fines. Where product regulations create criminal offences, those offences must be tried summarily or on indictment and can be punishable by a fine or with a prison sentence not exceeding two years (on indictment). The provisions may also allow for an appeal against any decisions made by the relevant authority.

Section 4: Emergencies

- 32 Section 4(1) provides that product regulations may disapply or modify regulatory requirements in response to emergencies and 4(2) permits the disapplication or modification to be subject to conditions.

Metrology

Section 5: Metrology regulations

- 33 Section 5(1) provides that the Secretary of State may make regulations which make provision about the units of measurement used to express quantities (whether of goods or other things). It also sets out that such regulations may include provision about how units of measurement must or may be calculated, determined, or referred to.
- 34 Section 5(2) provides that the Secretary of State may make regulations concerning the quantities in which goods must or may be marketed in the United Kingdom, and the units of measurement that must or may be used to express such quantities.
- 35 Section 5(3) states that such regulations may include setting requirements for the marking or packaging of goods; monitoring, assessing and verifying the quantities in which goods are marketed in the United Kingdom and the units of measurement used to express such quantities, and the retention of documents and other information.

- 36 Section 5(4) prevents the Secretary of State from making regulations under this Section to prevent or restrict the use of the pint in the marketing of draught beer or cider, or milk in returnable containers.
- 37 Section 5(5) clarifies the meaning of the key terms, stating that “goods” means tangible items (including packaging or labels); a “pint” is equal to 0.568 261 25 cubic decimetres; “quantity” means quantity expressed by number or a unit of measurement; and “unit of measurement” means any unit of measurement, including measurement of length, area, volume, capacity, mass, weight, time, temperature or electrical current.
- 38 Section 5(6) makes clear that further provisions of the Act give more detail on what is included in the Section 5 power. Section 5(7) provides that these provisions are known as metrology regulations.

Section 6: Enforcement of metrology regulations

- 39 Section 6(1) and (2) provide that metrology regulations may designate one or more persons as a relevant authority, responsible for monitoring compliance and enforcement of metrology regulations, but only if it exercises functions of a public nature. This can include the Secretary of State, as well as other bodies exercising public functions, for example, local authorities².
- 40 Section 6(3) enables metrology regulations to be made in relation to the monitoring of compliance, investigating suspected non-compliance, securing compliance and mitigating the effect of non-compliance with metrology regulations.
- 41 Section 6(4) states that metrology regulations can confer powers on relevant authorities to appoint inspectors to carry out functions under the regulations. Regulations may include conferring on relevant authorities or inspectors powers of entry, search, inspection, as well as the ability to seize and retain goods or other evidence of non-compliance. Metrology regulations can also confer a power on a relevant authority or an inspector to require a person to retain or provide a document or information, as well as a power to dispose of goods (either by requiring a person to do so or for the relevant authority or inspector to do so themselves). Powers under Section 6(4) apply to premises including vehicles (see Section 12).
- 42 Section 6(5) makes clear that metrology regulations may not authorise entry into premises used wholly or mainly as a dwelling without a warrant issued by a justice of the peace (in England and Wales), a sheriff, summary sheriff or justice of the peace (in Scotland), or a lay magistrate (in Northern Ireland).
- 43 Section 6(6) states that any provision in metrology regulations that confers a power on a relevant authority to secure compliance (or mitigate the effect of non-compliance) with metrology regulations under Section 6(3)(c) or Section 6(3)(d) may also allow the relevant authority to give notice to require a person to do something or to stop doing something.
- 44 Section 6(7) states that metrology regulations may make provision for, or in connection with, sanctions for non-compliance with metrology regulations; non-compliance with a notice; the obstruction of, or failure to, assist or cooperate with a relevant authority or an inspector; or for providing false or misleading information to a relevant authority or an inspector.

² In GB, local weights and measures authorities, known as ‘Trading Standards’ and in NI, the Department for the Economy.

- 45 Section 6(8) makes clear that metrology regulations can allow a relevant authority to accept an undertaking to secure compliance with metrology regulations instead of taking other action; and put sanctions in place for a failure to comply with such undertakings. Provisions under this Section may also cover forfeiting of goods by court order or order of the sheriff.
- 46 Sections 6(9), (10) and (11) provide that any provisions in metrology regulations may create or widen the scope of criminal offences, provide for prosecution by relevant authorities of such offences, and confer powers on relevant authorities to impose civil sanctions including monetary fines. Where metrology regulations create criminal offences, those offences must be tried summarily or on indictment and can be punishable by a fine or with a prison sentence not exceeding two years (on indictment). The provisions may also allow for an appeal against any decisions made by the relevant authority.

Supplementary provisions

Section 7: Information sharing

- 47 Section 7(1) enables product regulations or metrology regulations to be made permitting the sharing of information between persons specified in Section 7(2).
- 48 Section 7(2) provides that the information sharing regulations may apply to a relevant authority, the emergency services, or any other person named in product or metrology regulations.
- 49 Section 7(3) provides that such regulations may cover the circumstances in which information can or must be disclosed, the type of information which may or must be disclosed, how disclosed information may or may not be used and sanctions for non-compliance, including potential criminal offences.
- 50 Section 7(4) provides that product or metrology regulations may specify that information processed in accordance with a regulation does not breach any duty of confidence or any other restriction on the processing of personal data, except as provided for by Section 7(5), which makes clear that regulations must not be read as authorising processing in breach of the data protection legislation taking into account the powers or duties imposed by the regulation.
- 51 Section 7(6) provides a definition of data protection legislation and the emergency services. Data protection legislation in this Section has the same meaning as in the Data Protection Act 2018.

Section 8: Cost recovery

- 52 Section 8(1) to (3) enables provisions to be made for fees to be imposed in respect of any costs incurred by a relevant authority in carrying out functions conferred on the authority. It sets out what such provisions may cover: for example, who would be liable for a charge, the circumstances in which a charge would apply, the amount of the charge including any reductions, exemptions or waivers that may apply.

Section 9: Application to existing product and metrology provision

- 53 Section 9(1) and 9(2) make clear that regulations made under the Act can be used to amend or supplement existing product or metrology regulations, if those regulations could have been made under the powers in the Act. This is necessary to ensure that all the different types of provision that can be made by product and metrology regulations can be relied on to update existing regulations. Section 9(3) defines existing provisions and existing requirements.

Section 10: Regulations making provision within devolved competence

- 54 Section 10(1) requires the Secretary of State to seek the consent of the Scottish Ministers to make regulations under section 1 which contain provision within Scottish devolved competence, unless the provision is merely incidental to, or consequential on, provision outside Scottish devolved competence.
- 55 Section 10(2) requires the Secretary of State to seek the consent of the Welsh Ministers to make regulations under section 1 which contain provision within Welsh devolved competence, unless the provision is merely incidental to, or consequential on, provision outside Welsh devolved competence.
- 56 Section 10(3) requires the Secretary of State to seek the consent of the relevant Northern Ireland department to make regulations under section 1 or 5(2) which contain provision within Northern Ireland devolved competence, unless the provision is merely incidental to, or consequential on, provision outside Northern Ireland devolved competence. Section 10(4) clarifies that the ‘relevant Northern Ireland department’ is the appropriate Northern Ireland department for the provision contained in the concerned regulations.
- 57 Section 10(5) sets out what is meant by devolved competence in relation to Scotland, Wales and Northern Ireland for the purpose of this section.
- 58 Section 10(6) amends the Government of Wales Act 2006 allowing the Senedd to pass legislation removing the need for the Secretary of State to seek the consent of the Welsh Ministers under section 10(2).
- 59 Section 10(7) clarifies the meaning of ‘Minister of the Crown’.

Section 11: Consequential amendments of certain Acts

- 60 Section 11(1) repeals Parts 2 and 4 of the Consumer Protection Act 1987 in order to ensure that there is no overlap with regulations made under this Act.
- 61 Section 11(2) enables regulations to amend or repeal the Gun Barrel Proof Acts 1868 to 1978 in order to ensure that there is no overlap or inconsistency with regulations made under this Act.
- 62 Section 11(3) repeals sections 1, 8(1)(a) and 25, and Schedule 1 of the Weights and Measures Act 1985 in order to ensure that there is no overlap with metrology regulations made under this Act.
- 63 Section 11(4) makes clear that other legislation may be amended in consequence of any repeal of, or amendment to, the Acts specified above (for example, to remove or update references to provisions repealed or amended by those provisions).

Final provisions

Section 12: Interpretation

- 64 Section 12(1) defines key terms used in the Act.
- 65 Section 12(2) provides the Secretary of State with the power to amend the definition of “online marketplace” (defined in Section 12(1)).

Section 13: Regulations

- 66 Section 13(1) sets out that regulations made under powers in the Act must be made by statutory instrument and sets out the parliamentary procedures that must be followed when using those powers.

- 67 Section 13(2) makes clear that regulations made under the Act may include making provision generally or in relation to particular cases, making different provision for different purposes or areas and consequential, supplementary, incidental, transitional or saving provision (amongst other things).
- 68 Section 13(3) and (4) set out when the affirmative parliamentary procedure will apply to regulations under the Act. These include when making provision for a power of entry or creating, or widening the scope of, a criminal offence or where amending primary legislation or first use of the power relating to matters set out in Sections 2(2)(e) and 2(3)(e) regarding online marketplaces and the first use of the power in Section 2(3)(i) with respect to any new category of persons carrying out activities in relation to products.
- 69 Section 13(5) provides that the negative procedure will apply to all other regulations made under the Act (except for commencement regulations made under Section 15 (see Section 13(7))).
- 70 Section 13(6) requires the Secretary of State to consult such persons as they consider appropriate before making regulations under the Act.
- 71 Section 13(7) makes clear that there is no parliamentary procedure attaching to commencement regulations made under Section 15, as is usual practice, and the consultation requirements in Section 13(6) do not apply to commencement regulations made under Section 15.

Section 14: Extent

- 72 The provisions of the Act extend to England and Wales, Scotland and Northern Ireland.

Section 15: Commencement

- 73 Section 15(1) provides for Sections 11(1) and 11(3) to be brought into force by commencement regulations, and Section 15(2) provides for the rest of the Act to come into force on the day on which the Act is passed.

Section 16: Short title

- 74 Section 16 provides that the short title of the legislation will be the Product Regulation and Metrology Act 2025.

Schedule: Excluded products

- 75 The Schedule lists the products not within the scope of the provisions in Section 1.

Commencement

- 76 Section 15 provides for commencement of the provisions of the Act.
- 77 Sections 11(1) and (3) come into force on such day as the Secretary of State may by regulations appoint, and the Secretary of State may appoint different days for different purposes.
- 78 The rest of the Act came into force on the day the Act was passed.

Annex A – Hansard References

79 The following table sets out the dates and Hansard references for each stage of the Act's passage through Parliament.

Stage	Date	Hansard Reference
<i>House of Lords</i>		
Introduction	04 September 2024	House of Lords Vol. 839 Col. 1158
Second Reading	08 October 2024	House of Lords Vol. 839 Col. 1937
Grand Committee	20 November 2024	House of Lords Vol. 841 Col. 23GC
	25 November 2024	House of Lords Vol. 841 Col. 131GC
	27 November 2024	House of Lords Vol. 841 Col. 213GC
	11 December 2024	House of Lords Vol. 841 Col. 459GC
Report	26 February 2025	Part One: House of Lords Vol. 843 Col. 1701 Part Two: House of Lords Vol. 843 Col. 1769
	05 March 2025	House of Lords Vol. 844 Col. 259
Third Reading	12 March 2025	House of Lords Vol. 844 Col. 711
<i>House of Commons</i>		
Introduction	13 March 2025	Votes and Proceedings, No. 106
Second Reading	01 April 2025	House of Commons Vol. 765 Col. 210
Public Bill Committee	13 May 2025	First Sitting: Col. 1
		Second Sitting: Col. 35
	15 May 2025	Third Sitting: Col. 91
Report and Third Reading	04 June 2025	House of Commons Vol. 768 Col. 367
Lords Consideration of Commons Amendments	10 July 2025	House of Lords Vol. 847 Col. 1504
Royal Assent	21 July 2025	House of Commons Vol. 771 Col. 527
		House of Lords Vol. 848 Col. 15

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